

REMARKS

103 REJECTIONS

The present Office Action indicates Claims 1 – 9, 11-13, 15-19, 21 and 23 -32 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Sudo et al. (US Patent No. 5,999,827) in view of Ausems et al. (US patent NO. 6,434,403). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Sudo et al. reference and the Ausems et al. reference alone or together.

Applicant respectfully submits that the present invention as recited in Claim 1, is neither shown nor suggested by the Sudo et al. reference. Specifically the present invention, as set forth in each and every newly amended independent Claim, recites:

... a jog dial for accessing and activating one of said applications, said jog dial coupled to said data bus.

The present Office Action acknowledges that the Sudo et al. reference fails to teach a display, central processor, RAM, ROM and jog dial coupled to a data bus. In addition, Applicant respectfully asserts that the Sudo et al. reference does not teach a jog dial for accessing and activating applications.

The present Office Action alleges that the Sudo et al. reference teaches a display (12) for displaying an image including listing of applications (the list of applications are shown in figures 18 – 19). To the extent the Sudo et al. reference may show a listing of telephone numbers in Figure 18 and 19, Applicant respectfully asserts the Sudo et al. reference does not teach or even mention a list of applications.

The present Office Action alleges that the Sudo et al. reference teaches a jog dial (36J) for accessing and activating one of the applications (Col.9, lines 24 -50). To the extent the Sudo et al. reference may mention a jog dial 36J, Applicant respectfully asserts the Sudo reference does not teach accessing and activating one of the applications. To the extent Sudo et al. reference may teach displaying information concerning a phone number on a screen and start calling [Col. 10 lines 45 to 52 and Col. 11 lines 50 to 58], Applicant respectfully asserts the Sudo et al. reference does not teach accessing and activating one of a plurality of applications. Furthermore, Applicant respectfully asserts that the Sudo et al. reference teaches away from the present invention by indicating a single function of calling is initiated [Col. 10 lines 45 -50] and not a selection, access and activation of one of a plurality of applications. Applicant respectfully asserts the Sudo et al. reference teaches away from the present invention by indicating that soft keys are pressed to perform the vast majority of operations [Col. 5 line 10 – line 65] and also by indicating figure 17 is a typical example of the use of the jog dial [Col 10 lines 43 to 44]. Applicant respectfully asserts that even if the Sudo et al. reference can be interpreted to teach initiating a call associated with a single telephone application, Applicant respectfully asserts the Sudo et al. reference does not teach the present jog dial for accessing and activating one of the applications from a list of multiple applications.

The present Office Action also acknowledges the Sudo et al. reference does not teach a personal digital assistant. Applicant respectfully asserts the Ausems et al. reference does not overcome these and other shortcomings of the Sudo et al. reference. The present Office Action alleges the Ausems et al. reference teaches a personal digital

assistant and it would have been obvious to a person of ordinary skill in the art to include the teaching of an Ausems et al. PDA device to be incorporated {sic} in the Sudo device. To the extent the Ausems device may mention a personal digital assistant with wireless telephone, applicant respectfully asserts the Ausems et al. reference does not teach or mention a jog dial for accessing and activating applications.

The present Office Action indicates that Claims 11, 21 and 28 are similarly rejected for reasons substantially similar to the reasons for rejecting Claim 1. In accordance with arguments presented in previous Office Action responses, Applicant respectfully asserts the Sudo et al. reference does to teach the invention as recited in Claims 11, 21 and 18. In addition, to the extent that Claims 11, 21 and 28 are similar to Claim 1, Applicant respectfully asserts that the invention as recited in Claims 11, 21 and 28 are not taught by the Sudo reference for the reasons presented above.

Applicant respectfully asserts Claims 2-10, 12-20, 22-27 and 29- 31 are allowable as depending from allowable independent claims.

With respect to Claim 2, the present Office Action alleges that the Sudo et al. reference teaches that the jog dial access {sic} the application when depressed longer than a specific duration of time [Col. 10, lines 45-53]. To the extent the Sudo et al. reference may mention a jog dial is clicked continuously for a specified length of time, it can be initiated {sic} to call automatically to the communicates {sic} displayed where the cursor is {sic}, Applicant respectfully asserts the Sudo et al. reference does not teach a jog dial accesses an application when depressed longer than a specific duration of time.

Applicant respectfully asserts performing a single function of calling is not the same as accessing a selected application.

With respect to Claim 3, the present Office Action alleges having {sic} the device of Sudo (as shown in figures 11 and 12) displaying multiple options on the display teaches “displaying a list of application {sic} on the display”. To the extent figures 11 and 12 of the Sudo reference may show switching between various screen displays [Col. 8 lines 57 to Col. 9 line 3], Applicant respectfully asserts the Sudo et al. reference does not teach displaying a list of applications on a display. In addition, Applicant respectfully asserts the Sudo et al. reference teaches away from the present invention by indicating in Figures 11 and 12 that buttons are used to switch between screens.

With respect to Claim 4, the present Office Action alleges the selection of items is carried out by highlighting indicator on the display as seen in figure 18. To the extent Figure 18 may show names and telephone numbers, Applicant respectfully asserts the Sudo et al. reference does not teach a jog dial permits a selection of an application by changing a highlight indicator on the display.

With respect to Claim 5, the present Office Action alleges Sudo teaches depressing the jog dial to activate the system [Col. 10, lines 66 to Col. 11 line 5]. To the extent the Sudo et al. reference may mention a jog dial is clicked and the display unit is switched from the initial screen to screen of the telephone book list [Col. 10, lines 66 to Col. 11 line 5], Applicant respectfully asserts the Sudo et al. reference does not teach activation occurs when a jog dial is depressed after a selection is made.

With respect to Claim 7, the present Office Action alleges the Sudo et al. reference teaches a clear switch that cancels access. To the extent the Sudo et al. reference may mention a clear function that clears operation of input numerals in response to a soft key [Col. 5 lines 15 to 17], Applicant respectfully asserts the Sudo et al. reference does not teach the application list includes a cancel indicator for canceling the access when said jog dial is depressed. Again, Applicant respectfully asserts the Sudo et al. reference teaches away from the present invention by indicating a soft key is pressed to perform a function.

With respect to Claim 8, the present Office Action alleges the Sudo et al. reference teaches an off indicator (36A) for turning the device off. To the extent the Sudo et al. reference may mention a power key (36A), Applicant respectfully asserts the Sudo et al. reference does not teach an application list includes an off indicator for turning off the personal digital assistant. In addition, Applicant respectfully asserts that the Sudo et al. reference teaches away from the present invention by indicating the power key 36A is not even a part of the display screen 35 and not in an application list. Furthermore, Applicant respectfully asserts the Sudo et al. reference teaches away from the present invention by indicating power key 36A is completely separate from a jog dial is and the power key 36A is pressed to turn on/off power [Col. 8 lines 20 –30].

With respect to Claim 9, the present Office Action alleges the Sudo et al. reference teaches the application is activated when the jog dial is depressed a specified number of times [Col. 11 lines 50 –65]. To the extent the Sudo et al. reference may mention a jog dial is clicked to start calling a telephone number [Col. 11 lines 50 –65],

Applicant respectfully asserts the Sudo et al. reference does not teach a jog dial accesses an application list when a jog dial is depressed a specified number of times.

As to independent Claim 11, the present Office action alleges the Sudo et al. reference teaches presenting an application list including a plurality of application identifiers on a display [figures 18 and 19]. To the extent the Sudo et al. reference may show a list of names and phone numbers in figures 18 and 19, Applicant respectfully asserts the Sudo et al. reference does not teach presenting an application list including a plurality of application identifiers on a display. The present Office Action alleges the Sudo et al. reference teaches that the jog dial accesses the application when depressed longer than a specific duration of time [Col. 10 lines 45 –53]. To the extent Sudo et al. reference may teach displaying information concerning a selected item on a screen and initiating a call [Col. 10 lines 45 to 52 and Col. 11 lines 50 to 58], Applicant respectfully asserts the Sudo et al. reference does not teach presenting an application list including a plurality of application identifiers on a display when a jog dial is depressed for a specific amount of time.

With respect to Claim 11, the present Office Action also alleges the Sudo et al. reference teaches the selection of items is carried out by highlighting indicator {sic} on the display when the jog dial is rotated as seen in figure 18. To the extent figure 18 may show highlighted telephone numbers, applicant respectfully asserts the Sudo et al. reference does not teach moving a highlighting indicator to a different one of a plurality of application identifiers in response to movements in a jog dial. The present Office Action also alleges the Sudo et al. figure 20 shows that the application is activated when the jog dial is depressed [Col. 11 lines 51 – 65]. To the extent the Sudo et al. reference

may mention starting a call when the jog dial is depressed [Col. 11 lines 51 – 65], Applicant respectfully asserts the Sudo et al. reference does not teach activating an application in association with one of a plurality of application identifiers when said jog dial is depressed again.

The present Office Action acknowledges the Sudo et al. reference does not teach that the activation of an application is carried out with the jog dial is depressed again. To the extent Figure 20 of the Sudo et al. reference may show telephone numbers, Applicant respectfully asserts the Sudo et al. reference does not teach activating an application in association with one of a plurality of application identifiers when said jog dial is depressed again. The present Office Action also acknowledges the Sudo et al. reference does not teach a personal digital assistant. Applicant respectfully asserts the Ausems et al. reference does not overcome these and other shortcomings of the Sudo et al. reference. The present Office Action alleges the Ausems et al. reference teaches a personal digital assistant and it would have been obvious to a person of ordinary skill in the art to include the teaching of an Ausems et al. PDA device to be incorporated {sic} in the Sudo device. To the extent the Ausems device may mention a personal digital assistant with wireless telephone, Applicant respectfully asserts the Ausems et al. reference does not teach or mention a jog dial for accessing and activating applications.

With respect to Claim 12, the present Office Action alleges the steps of figure 20 fairly read on the limitations of Claim 12. To the extent the Sudo et al. reference may show a list of names and phone numbers in figure 20, Applicant respectfully asserts the

Sudo et al. reference does not teach a presentation of an application list occurs while an application is active.

With respect to Claim 13, the present Office Action alleges the Sudo et al. reference teaches that the jog dial accesses the application when depressed longer than a specified duration of time [Col. 10 lines 45 –53]. To the extent Sudo et al. reference may mention initiating a call [Col. 10 lines 45 to 52 and Col. 11 lines 50 to 58], Applicant respectfully asserts the Sudo et al. reference does not teach an application is accessed when a user depresses the jog dial for a specified period of time.

With respect to Claim 14, the present Office Action alleges figure 18 of the Sudo et al. reference shows the selection of items is carried out by highlighting indicator on the display when the jog dial is rotated. To the extent Figure 18 may show names and telephone numbers, Applicant respectfully asserts the Sudo et al. reference does not teach a user rotates the jog dial to highlight an application identifier included in the application list.

With respect to Claim 17, the present Office Action alleges figures 20 and 27 of Sudo's device fairly reads on the limitation of "a user depresses said jog dial again when a desired application is highlighted and the application is activated". To the extent figure 20 and 27 may show a list of phone numbers and editing phone number information, Applicant respectfully asserts the Sudo et al. reference does not teach a user depresses said jog dial again when a desired application is highlighted and the desired application is activated.

With respect to Claim 18, the present Office Action alleges figure 26 of the Sudo et al. reference teaches a cancel indicator. To the extent figure 26 may show deletion of a name on a list of phone numbers, Applicant respectfully asserts the Sudo et al. reference does not teach canceling an application activation by highlighting a cancel indicator included in an application list and depressing a jog dial.

With respect to Claim 19, the present Office Action alleges the Sudo et al. reference teaches an off indicator (36A) for turning the device off. To the extent the Sudo et al. reference may mention a power key (36A), Applicant respectfully asserts the Sudo et al. reference does not teach turning off a hand held computer by highlighting an off indicator included in an application list and depressing a jog dial. In addition, Applicant respectfully asserts that the Sudo et al. reference teaches away from the present invention by indicating the power key 36A is not even a part of the display screen 35 and not on an application list. Furthermore, Applicant respectfully asserts the Sudo et al. reference teaches away from the present invention by indicating a power key 36A completely separate from a jog dial is pressed to turn on/off power {Col. 8 lines 20 – 30}.

With respect to Claims 21 and 23 – 27 the present Office Action alleges the claims individually or in combination are substantially similar to Claims 1 - 9 and are analyzed similar to Claims 1 - 9. To the extent Claims 21 and 23 - 27 are similar to Claims 1 - 9, Applicant respectfully asserts the Sudo et al. reference does not teach or render obvious the present invention as discussed above.

With respect to Claims 28 - 32 the present Office Action alleges the claims individually or in combination are substantially similar to Claims 11 – 13 and 15 - 19 and are analyzed similar to Claims 11 – 13 and 15 - 19. To the extent Claims 28 - 32 are similar to Claims 11 – 13 and 15 - 19, Applicant respectfully asserts the Sudo et al. reference does not teach or render obvious the present invention as discussed above.

The present Office Action indicates Claims 10, 14, 20 and 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Sudo and Ausems in view of Yamagishi et al. (US patent NO. 6,178,338). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Sudo et al. reference, the Ausems et al. reference, and/or the Yamagishi et al. alone or together.

The present Office Action reiterates the alleged teachings of Sudo and Ausems. As set forth above, Applicant respectfully asserts the Sudo et al. reference and the Ausems reference do not teach or render obvious the present application Claims. The present Office Action acknowledges the Sudo et al. reference and the Ausems references does not teach that the application list includes application icons.

Applicant respectfully asserts the Yamagishi et al. reference does not overcome these and other shortcomings of the Sudo et al. reference and the Ausems et al. reference. The present Office Action alleges Figures 3A and 3B of Yamagishi et al. teaches an application list includes application icons [col. 4 lines 37 –44]. To the extent the Sudo et al. reference may show options in response to user actions related to phone numbers, Applicant respectfully asserts the Sudo et al. reference does not teach an

application list includes a variety of application titles and application icons representing applications.

With respect to Claim 20, the present office action alleges the option list in figures 3A – 3B of Yamagishi's device fairly reads on the limitation "performing operating system" {sic}. To the extent the Sudo et al. reference may show options in response to user actions related to phone numbers in figures 3A and 3B, Applicant respectfully asserts the Sudo et al. reference does not teach performing an operating system function in a hand held computer by highlighting an operating system indicator included in an application list and depressing a jog dial.

CONCLUSION

In light of the above-listed amendments and remarks, Applicant respectfully request allowance of the remaining Claims. The examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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